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EXAMINER	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/658,545	BAE ET AL.	
	Examiner	Art Unit	
	Junior O. Mendoza	2609	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *17 September 2002*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-16* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-16* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☒ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *03/31/2004*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Claim Objections

1. Claim 7 is objected to because of the following informalities: the applicant states "said memory controller is adapted to scale up and output said rotated and output picture", the examiner assumes that the applicant meant to say "said memory controller is adapted to scale up and output said rotated and said scale up picture". Appropriate correction is required.

Double Patenting

2. The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. A nonstatutory obviousness-type double patenting rejection is appropriate where the conflicting claims are not identical, but at least one examined application claim is not patentably distinct from the reference claim(s) because the examined application claim is either anticipated by, or would have been obvious over, the reference claim(s). See, e.g., *In re Berg*, 140 F.3d 1428, 46 USPQ2d 1226 (Fed. Cir. 1998); *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) or 1.321(d) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent either is shown to be commonly owned with this application, or claims an invention made as a result of activities undertaken within the scope of a joint research agreement.

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

Claim 1 is provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claim 1 of copending Application No. 10/658208. Although the conflicting claims are not identical, they are not patentably distinct from each other because the claims from the reference application meet all the limitations as claimed in current application.

Claim 2 is provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 2 and 9 of copending Application No. 10/658208. Although the conflicting claims are not identical, they are not patentably distinct from each other because the claims from the reference application meet all the limitations as claimed in current application.

Claim 3 is provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 5 and 10 of copending Application No. 10/658208. Although the conflicting claims are not identical, they are not patentably distinct from each other because the claims from the reference application meet all the limitations as claimed in current application.

Claim 4 is provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claim 11 of copending Application No. 10/658208. Although the conflicting claims are not identical, they are not patentably distinct from each other because the claims from the reference application meet all the limitations as claimed in current application.

Claim 5 is provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claim 6 of copending Application No.

10/658208. Although the conflicting claims are not identical, they are not patentably distinct from each other because the claims from the reference application meet all the limitations as claimed in current application.

Claim 6 is provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claim 7 of copending Application No. 10/658208. Although the conflicting claims are not identical, they are not patentably distinct from each other because the claims from the reference application meet all the limitations as claimed in current application.

Claim 7 is provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claim 8 of copending Application No. 10/658208. Although the conflicting claims are not identical, they are not patentably distinct from each other because the claims from the reference application meet all the limitations as claimed in current application.

Claim 12 is provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claim 15 of copending Application No. 10/658208. Although the conflicting claims are not identical, they are not patentably distinct from each other because the claims from the reference application meet all the limitations as claimed in current application.

Claim 13 is provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claim 12 of copending Application No. 10/658208. Although the conflicting claims are not identical, they are not patentably

distinct from each other because the claims from the reference application meet all the limitations as claimed in current application.

This is a provisional obviousness-type double patenting rejection because the conflicting claims have not in fact been patented.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. **Claims 1 – 4, 8 and 9** are rejected under 35 U.S.C. 103(a) as being unpatentable over Kuramitsu (Appl No 10/405,248) in view of Yui et al. (Appl No 09/996,884), further in view of Okitsu (Patent No 6,188,800). Hereinafter referenced as Kuramitsu, Yui and Okitsu, respectively.

Regarding **claim 1**, Kuramitsu discloses an input device (10) that sends an instruction to the control section (8), which controls tuner (12), in response to an input from the user, paragraph [0062] also exhibited on fig 1, where the user data as disclosed by the applicant constitutes the signal strength, the time and battery status are displayed at the same time as the video signal as shown in fig 10; moreover, Kuramitsu discloses a reception of transport stream (television mode) and a voice communication (communication mode), exhibited on fig 1 and 2, which reads on "control means for generating a plurality of commands for execution of a television mode and a

communication mode and user data corresponding to a television picture being displayed". Moreover Kuramitsu discloses a tuner (12) that receives from the antenna (11) a transport stream broadcasted from station (101), paragraph [0054] also exhibited on fig 1, which reads on "a tuner for receiving a television signal of a selected channel". Moreover Kuramitsu discloses a de-multiplexer (14), a video decoder (15) and an audio decoder (16), paragraph [0055] also exhibited on fig 1, which reads on "a decoder for decoding the television signal received by said tuner to separate it into said television video signal, an audio signal". Moreover, Kuramitsu discloses that if there is an incoming call during the reception of a broadcasted video signal the reproduction of the transport stream will stop, as to allow voice communication, paragraphs [0063] and [0064] also exhibited on fig 2 and fig 3, which reads on "then outputting said user data and, in said communication mode, stopping operations of said tuner and decoder and outputting said user data from said control means". Moreover, Kuramitsu discloses a display device (4) which displays the video signal, the time, battery life and signal strength simultaneously, paragraph [0058] also exhibited on fig 1 and fig 10, which reads on "display means having first and second display areas, said display means displaying said frame video data and user data from said video processing means respectively in said first and second display areas in said television mode, and displaying said user data from said video processing means in said first and second display areas in said communication mode". However, Kuramitsu fails to disclose synchronous signals and a means for converting video signals into digital video signals. However, the examiner maintains that it was well known in the art to provide such

synchronous signals and a means for converting video signals into digital video signals, as taught by Yui.

In a similar field of endeavor Yui discloses an apparatus and method for controlling display of image information including character information, including appropriate size control of a display window. In addition, Yui discloses a synthesizing part (12) that has a horizontal and vertical line counter of a display area on the basis of the horizontal and vertical synchronizing signals of the display device (14), column 7 lines 13-17 also exhibited on fig 1, which reads on "a synchronous signals". Moreover Yui discloses a picture decoder 5b and an input processing (6b) that incorporates an A/D converter when the received data is an analog signal, column 4 lines 59-64 also exhibited on fig 1A and fig 1B, which reads on "video processing means for, in said television mode, converting said video signal from said decoder into digital video data".

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Kuramitsu by specifically providing synchronous signals and a means for converting video signals into digital video signals, as taught by Yui, for the purpose of using the synchronous signals to scale the size of the frames in the video; moreover, an analog to digital converted will allow the controller to modify the frames of the video as desired.

The combination of Kuramitsu and Yui still fail to disclose a step to process and store the converted digital video data on a frame basis and outputting stored video data of a previous frame in a frame period. However, the examiner maintains that it was well known in the art to provide such step to process and store the converted digital video

data on a frame basis and outputting stored video data of a previous frame in a frame period, as taught by Okitsu. In a similar field of endeavor Okitsu discloses a two-dimensional spatial transformation system for video processing. In addition, Okitsu discloses a first bank and a second bank for video memory, which saves video in frames, where the first bank stores the current frame and the second bank stores the previous frame which is then transferred to the output buffer (113), see claim 17 column 15 lines 16-51 also exhibited on fig 16, which reads on "processing and storing the converted digital video data on a frame basis and outputting stored video data of a previous frame in a frame period".

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Kuramitsu and Yui by specifically providing the step to process and store the converted digital video data on a frame basis and outputting stored video data of a previous frame in a frame period, as taught by Okitsu, for the purpose of allowing the controller to modify the video frame to the right scale for displaying on portable device.

Regarding **claim 2**, Kuramitsu, Yui and Okitsu disclose everything claimed as applied above (See claim 1), in addition, Yui discloses a picture decoder 5b and an input processing (6b) that incorporates an A/D converter when the received data is an analog signal, column 4 lines 59-64 also exhibited on fig 1A and fig 1B, which reads on "an analog/digital (A/D) converter for converting said video signal from said decoder into said digital video data". Moreover, Yui discloses a synthesizing part (12) that has a

horizontal and vertical line counter of a display area on the basis of the horizontal and vertical synchronizing signals of the display device (14), column 7 lines 13-17 also exhibited on fig 1; in addition, Yui discloses a resolution conversion part (7a – 7d) that scales the size of the video, column 5 lines 10-14 also exhibited on fig 1, which reads on "a format scaler for scaling a size of said video data to a frame size synchronously with said synchronous signals from said decoder". Moreover, Kuramitsu discloses a program memory (81) that stores an operating system, computer programs for receiving/reproducing of contents and computer programs for voice communication processing; paragraph [0061] also exhibited on fig 1; further, Kuramitsu discloses a content storage section (9) that stores transport stream transferred from the tuner (12), paragraph [0062] also exhibited on fig 1; On the other hand, Okitsu discloses a first bank and a second bank for video memory, which saves video in frames, where the first bank stores the current frame and the second bank stores the previous frame which is then transferred to the output buffer (113), see claim 17 column 15 lines 16-51 also exhibited on fig 16, which reads on "first to third memories and a memory controller for, in said television mode, storing video data of a current frame from said format scaler in said second or third memory at the same time as outputting video data of a previous frame stored in said third or second memory, outputting user data stored in said first memory upon completing the output of said video data of said previous frame and repeating these storage and output operations and, in said communication mode, storing said user data in said first memory and/or second memory and outputting the stored user data".

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Kuramitsu, Yui and Okitsu for the purpose of interconnecting the memories for video frame storage and display, which in actuality will provide a delay of a frame difference on the displayed video, where such video needs to be in digital format for all this procedure to take place.

Regarding **claim 3**, Kuramitsu, Yui and Okitsu disclose everything claimed as applied above (See claim 2), in addition, Yui discloses a display control part (13) that performs control of display driving and conversion of display format according to characteristics of a display device (14), column 5 lines 36-39 also exhibited on fig 1B; in addition, Yui discloses an image drawing part (18) used for generation of on screen display (OSD) windows, column 6 lines 5-6 also exhibited on fig 1B, which reads on "wherein said video processing means further includes an on-screen display (OSD) controller for designating, copying and displaying a desired area of said user data stored in said first memory". Moreover, Kuramitsu discloses a program memory (81) that stores an operating system, computer programs for receiving/reproducing of contents and computer programs for voice communication processing, paragraph [0061] also exhibited on fig 1; which reads on "first memory".

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Kuramitsu, Yui and Okitsu for the purpose of displaying the user data on the display screen, where such user data has been previously saved in memory.

Regarding **claim 4**, Kuramitsu, Yui and Okitsu disclose everything claimed as applied above (See claim 3), in addition, Kuramitsu discloses a control section (8) which controls tuner (12) where the user can chose difference channels, paragraph [0062] also exhibited on fig 1; moreover, the Inter Integrated Circuit (I2C) is a protocol that is well know in the art, all of which reads on "wherein said video processing means further includes an Inter Integrated Circuit (I2C) controller for transferring channel control data from said control means to said tuner in an I2C communication manner".

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Kuramitsu, Yui and Okitsu for the purpose of providing a way for the user to change channels, and by using I2C protocol such commands would take effect almost immediately.

Regarding **claim 8**, Kuramitsu, Yui and Okitsu disclose all the limitations as claimed. In addition, Kuramitsu discloses a processor (82) that determines whether there is an incoming call during the video stream broadcast, if there is an incoming call then the video in muted (105) so the user can take care of the incoming call, paragraph [0065] and [0098] also exhibited on fig 13 and 14, which reads on

> **a)** determining in a standby mode whether said mobile terminal is set to a television mode or communication mode;

Moreover, Kuramitsu discloses a tuner (12) that receives from the antenna (11) a transport stream broadcasted from station (101), paragraph [0054] also exhibited on fig 1; furthermore, Kuramitsu discloses an input device (10) that sends an instruction to the

control section (8), which controls tuner (12), in response to an input from the user, paragraph [0062] also exhibited on fig 1, which reads on

b) if said mobile terminal is set to said television mode, controlling a tuner to select a desired television channel;

Moreover, Kuramitsu discloses a tuner (12) that receives from the antenna (11) a transport stream broadcasted from station (101), paragraph [0054] also exhibited on fig 1; furthermore, Kuramitsu discloses a de-multiplexer (14) that separates the incoming signal and sends it to a video decoder (15) and an audio decoder (16), paragraph [0055] also exhibited on fig 1. On the other hand, Yui discloses a synthesizing part (12) that has a horizontal and vertical line counter of a display area on the basis of the horizontal and vertical synchronizing signals of the display device (14), column 7 lines 13-17 also exhibited on fig 1, which reads on

c) receiving a television signal over the selected television channel and separating the received television signal into said television video signal, an audio signal and synchronous signals;

Moreover Yui discloses a picture decoder 5b and an input processing (6b) that incorporates an A/D converter when the received data is an analog signal, column 4 lines 59-64 also exhibited on fig 1A and fig 1B. Moreover, Kuramitsu discloses a program memory (81) that stores an operating system, computer programs for receiving/reproducing of contents and computer programs for voice communication processing, paragraph [0061] also exhibited on fig 1; further, Kuramitsu discloses a content storage section (9) that stores transport stream transferred from the tuner (12),

paragraph [0062] also exhibited on fig 1; On the other hand, Okitsu discloses a first bank and a second bank for video memory, which saves video in frames, where the first bank stores the current frame and the second bank stores the previous frame which is then transferred to the output buffer (113), see claim 17 column 15 lines 16-51 also exhibited on fig 16. All of which reads on

> **d)** converting said separated video signal into video data of a current frame in response to said synchronous signals, storing the video data of the current frame and user data in a memory unit, outputting video data of a previous frame stored in said memory unit to said video data display area of said display unit and then outputting said user data stored in said memory unit to said user data display area of said display unit upon completing the output of said video data of said previous frame;

Kuramitsu discloses a program memory (81) that stores an operating system, computer programs for receiving/reproducing of contents and computer programs for voice communication processing, paragraph [0061] also exhibited on fig 1. Moreover, Kuramitsu discloses that if there is an incoming call during the reception of a broadcasted video signal the reproduction of the transport stream will stop, as to allow voice communication, paragraphs [0063] and [0064] also exhibited on fig 2 and fig 3. Moreover Kuramitsu discloses a display device (4), which displays the video signal, the time, battery life and signal strength simultaneously, paragraph [0058] also exhibited on fig 1 and fig 10, where the user data: signal strength, the time and battery status are displayed at the same time as the video signal as shown. All of which reads on

e) if said mobile terminal is set to said communication mode, storing user data generated in said communication mode in said memory unit and displaying the stored user data in said video data display area and user data display area of said display unit.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Kuramitsu, Yui and Okitsu for the purpose of providing a way for the portable device to receive a television stream from a broadcast, which will also allow the user to have access to both the television option and the portable device regular features.

Regarding **claim 9**, Kuramitsu, Yui and Okitsu disclose all the limitations as claimed above (see claim 8). Moreover, Yui discloses a multi-window display method that scales the size of different video, picture or data windows to a desired size, column 2 lines 64-67 and column 3 lines 1-8 also exhibited on fig 5 and 6; moreover, Yui discloses a display control part (13) which keeps control of the display information in synchronization with the frame rate of the display device (14), column 5 lines 36-39 also exhibited on fig 1, which reads on "scaling a size of said converted digital video data to a frame size synchronously with said synchronous signals to generate said video data of said current frame". In addition, claim 9 is a combination of claims 1 and 2. Therefore, claim 9 stands rejected for the same reasons as stated above (see claims 8 and 2) since it is inherent to the apparatus claimed in claims 1 and 2, respectively.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Kuramitsu, Yui and Okitsu for the purpose of providing the ability to resize the received television stream since the size of the display may be different from the resolution of the original signal, which in fact would provide a lot of flexibility to the user since they would be able to display the video signal in different sizes.

5. **Claims 5 - 7 and 10 - 16** are rejected under 35 U.S.C. 103(a) as being unpatentable over Kuramitsu in view of Yui, further in view of Okitsu and further in view of Barile (Pub No US 2002/0093531). Hereinafter referenced as Barile.

Regarding **claim 5** Kuramitsu, Yui and Okitsu disclose everything claimed as applied above (See claim 2), in addition, Barile discloses an option for locking or capturing an image being displayed on display (30), where keypad (28) would include keys for choosing such option, paragraph [0046], which reads on "said memory controller is adapted to output video data of a frame being displayed on said display means as a still picture in response to a capture key input". Moreover, Barile discloses a display controller (31) which controls what is displayed on the display (30), where such controller has access to memory (24) where data has been stored, paragraph [0020] also exhibited on fig 1, which reads on "and said control means is adapted to access said video data being output as said still picture".

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Kuramitsu, Yui and Okitsu by specially providing the elements mentioned above, as taught by Barile for the purpose of providing the user the option take a picture of the video stream that they as watching, since it is a sequence of pictures being shown one after the other, moreover a proving the user a way to save such picture on memory.

Regarding **claim 6** Kuramitsu, Yui and Okitsu disclose everything claimed as applied above (See claim 2), in addition, Barile discloses that the controller (31) may automatically shift the display (30) from a normal/ default portrait mode to a landscape mode with the images of the received video signals turned 90 degrees, paragraph [0035] also exhibited on fig 6; moreover, Barile discloses a keypad (28) used for choosing different options, where it is implicit that a rotate key may be included on such keypad (20), which reads on "said memory controller is adapted to rotate and output a picture being displayed on said display means in response to a rotate key input".

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Kuramitsu, Yui and Okitsu by specially providing the elements mentioned above, as taught by Barile for the purpose of allowing the user to watch images at a different angle which could be more comfortable for them, or which depending on the parameters on the screen may allow the displayed image to be shown with dimensions.

Regarding **claim 7** Kuramitsu, Yui, Okitsu and Barile disclose everything claimed as applied above (See claim 6), in addition, Yui discloses a resolution conversion part (7a- 7d) which performs scale up and scale down processes while the control part (15) sets a resolution conversion parameter, all of which is shown of display device (14), column 5 lines 10-14 also exhibited on fig 9 and 12, which reads on "said memory controller is adapted to scale up and output said rotated and scale up picture".

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Kuramitsu, Yui and Okitsu by specially providing the elements mentioned above, as taught by Barile for the purpose of providing the user the ability to change the size of the images being displayed on the display screen.

Regarding **claim 10**, Kuramitsu, Yui and Okitsu disclose all the limitations as claimed above (see claim 9). In addition, claim 10 is a variation of claim 5. Therefore, claim 10 stands rejected for the same reasons as stated above (see claim 5) since it is inherent to the apparatus claimed in claim 5.

Regarding **claim 11**, Kuramitsu, Yui and Okitsu disclose all the limitations as claimed above (see claim 9). In addition, claim 11 is a variation of claim 6. Therefore, claim 11 stands rejected for the same reasons as stated above (see claim 6) since it is inherent to the apparatus claimed in claim 6.

Regarding **claim 12**, Kuramitsu, Yui and Okitsu disclose all the limitations as claimed above (see claim 11). In addition, claim 12 is a combination of claims 6 and 7. Therefore, claim 12 stands rejected for the same reasons as stated above (see claims 6 and 7) since it is inherent to the apparatus claimed in claims 6 and 7.

Regarding **claim 13**, Kuramitsu, Yui and Okitsu disclose all the limitations as claimed. In addition, claim 13 is a combination of claims 1, 2, 8 and 9. Therefore, claim 13 stands rejected for the same reasons as stated above (see claims 1, 2, 8 and 9) since it is inherent to the apparatus and method claimed in claims 1, 2, 8 and 9.

Regarding **claim 14**, Kuramitsu, Yui and Okitsu disclose all the limitations as claimed. In addition, claim 13 is a combination of claims 1, 2, 3, 6, 7, 8 and 9. Therefore, claim 13 stands rejected for the same reasons as stated above (see claims 1, 2, 3, 6, 7, 8 and 9) since it is inherent to the apparatus and method claimed in claims 1, 2, 3, 6, 7, 8 and 9.

Regarding **claim 15**, Kuramitsu, Yui and Okitsu disclose all the limitations as claimed. In addition, claim 15 is a combination of claims 1, 2 and 3. Therefore, claim 15 stands rejected for the same reasons as stated above (see claims 1, 2 and 3) since it is inherent to the apparatus and method claimed in claims 1, 2 and 3.

Regarding **claim 16**, Kuramitsu, Yui and Okitsu disclose all the limitations as claimed. In addition, claim 16 is a combination of claims 1, 2 and 3. Therefore, claim 16 stands rejected for the same reasons as stated above (see claims 1, 2 and 3) since it is inherent to the apparatus and method claimed in claims 1, 2 and 3.

Claim Rejections - 35 USC § 112

6. The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

7. Claim 7 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Citation of Pertinent Prior Art

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Yamaguchi (Patent No 7,224,999) – Radio communication terminal with simultaneous radio communication channels
- Ueda (Pub No US 2002/0163592) – Portable terminal, overlay output method and program therefor
- Son Chang Soo (Korean App No 1020010013427) – TV video phone
- Kim Dong Hyean (Korean App No 1019990067166) – Digital television viewing telephone

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Junior O. Mendoza whose telephone number is 571-270-3573. The examiner can normally be reached on Monday - Thursday 8am - 5pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jefferey Harold can be reached on 571-272-7519. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

RYAN YANG 10/1/07
PRIMARY EXAMINER

Junior O Mendoza
Examiner
Art Unit 2609

JM JM
September 26, 2007